

United States District Court

EASTERN

DISTRICT OF

LOUISIANA

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT

DAT VIET TIEU a/k/a "Andy"

CASE NUMBER: 08/218 MAG

H-08-818 M

12/3/08 MM

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. Between January 1, 2006 and May 17, 2006 in ST. TAMMANY PARISH and elsewhere

EASTERN District of LOUISIANA and elsewhere defendant(s),

(Track Statutory Language of Offense)

did conspire with other persons known and unknown to distribute and possess with intent to distribute a quantity of 3, 4-methylenedioxymethamphetamine ("MDMA" also known as ecstasy), all

in violation of Title 21 United States Code, Sections 846 and 841(a)(1) and (b)(1)(C)

I further state that I am a Special Agent, Drug Enforcement Administration and that this complaint is based on the following facts:

Official Title

SEE ATTACHED AFFIDAVIT.

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No



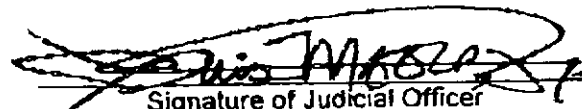
Signature of Complainant
CHAD SCOTT
Special Agent
Drug Enforcement Administration

Sworn to before me and subscribed in my presence,

December 1, 2008 at _____
Date

NEW ORLEANS, LOUISIANA
City and State

LOUIS MOORE, JR.
UNITED STATES MAGISTRATE JUDGE
Name & Title of Judicial Officer



Signature of Judicial Officer

AFFIDAVIT

I, Chad Scott, being duly sworn, depose and state the following:

I am a Special Agent with the Drug Enforcement Administration, U.S. Department of Justice, and as such am empowered by Title 21, United States Code, Section 878 to make arrest and obtain and execute search warrants. I am currently assigned to Task Force Group 10 in the New Orleans Field Division. I have been employed by the Drug Enforcement Administration (DEA) in excess of five years. During the course of my employment with DEA, I have participated in several drug trafficking investigations, and have received extensive training in drug trafficking and drug trafficking investigations. Prior to my employment with the DEA, I was employed as a criminal investigator for the Tangipahoa Parish Sheriff's department assigned to narcotics for approximately eight years. While employed by the Tangipahoa Parish Sheriff's Department, I was assigned to the DEA Task Force in New Orleans, Louisiana for approximately four years. I have testified in judicial proceedings and prosecutions for violations of Federal and State laws concerning controlled substances. I make this affidavit based on my own personal observations concerning this investigation, upon the observations of other agents and sworn law enforcement officers, and the statements of the accused.

The facts outlined below offered in support of this complaint are based upon the personal knowledge of your affiant and information relayed to me by other investigating agents of the DEA Task Force.

On or about May 17, 2006, DEA in Houston initiated surveillance on a vehicle associated with a Houston Source of supply of narcotics. Surveillance followed the vehicle from Houston, Texas to Louisiana. While traveling on Interstate 10 near Laplace, Louisiana, the vehicle in question was stopped for a traffic violation. The driver of the vehicle was identified as Everett PAYNE of New Orleans, Louisiana. The vehicle registered to Paul AGUIRRE and Power Toy Cycles from Houston, Texas. The occupants of the vehicle were identified as Marlo THOMAS and Joseph DEGREAT of New Orleans, Louisiana. A criminal history check revealed all three occupants had a criminal history for prior narcotics trafficking.

Surveillance was maintained following the traffic stop, and the vehicle was followed to the residence located at 2050 Heather Lane, Slidell, Louisiana. When the vehicle driven by PAYNE (a Ford F-250) arrived at the residence another vehicle (a flat bed truck with Texas plates) driven by Willie WHITE arrived and met with the occupants of the vehicle driven by PAYNE. THOMAS, PAYNE, DEGREAT and WHITE met near the flat bed truck. PAYNE, THOMAS and SMITH unloaded bags from an area under the flat bed truck. After a brief meeting, PAYNE and DEGREAT carried large duffle bags into the residence. After several minutes, WHITE exited the residence carrying a duffle bag to the flat bed truck. WHITE loaded the bag onto the rear portion of the vehicle.

WHITE then left the residence in his truck followed by surveillance and was stopped by the St. Tammany Parish Sheriff's Department, patrol division. WHITE was eventually stopped for a traffic violation. A search of his vehicle yielded a box which contained a large sum of U.S. Currency, which was heat sealed in a manner consistent with bulk currency smuggling. WHITE denied ownership of the currency and advised that he did know the currency was secreted inside rear tool box / compartment area of the vehicle.

All vehicles at the residence left in a close time proximity and were subsequently stopped by the St. Tammany Parish Sheriff's Department, patrol division. DEGREAT, THOMAS, and PAYNE were stopped in the F-250 as it left the residence. At the time of the stop, S/A Scott observed the strong odor of suspected burnt marijuana coming from within the vehicle. All three occupants were found to be in possession of large sums of U.S. Currency on their persons.

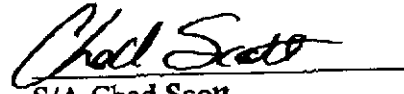
Following the stop of these vehicles, TFA Martin observed Andrew WILLIAMS exit the residence on Heather Lane and began looking up and down the street in a manner consistent with counter surveillance. At this time the decision was made to secure the residence, due to the possibility that Agents were identified and evidence of criminal activity could be removed from the residence or destroyed. Agents then made entry into the residence for securing purposes and identified the occupants as Andrew WILLIAMS and Nakosha SMITH located in the master bedroom of the residence.

A subsequent search of the residence revealed two duffle bags that contained a total of approximately fifty kilogram of powder cocaine contained in heat sealed envelopes. Agents located inside one of the duffle bags, a loaded Smith and Wesson 9mm semi-automatic handgun with the serial number obliterated. Agents also recovered from the bedroom closet: a digital scale, approximately 4074 dosage units of MDMA (ecstasy), and U.S. Currency. In the same bedroom, Agents located a money counting machine, a Glock 40 caliber semi-automatic handgun, marijuana, and an empty box of heat sealed bags and additional quantities of U.S. Currency located throughout the bedroom. In the kitchen area of the residence, Agents located a heat sealer and approximately three pounds of marijuana located in the freezer.

The investigation continued and eventually identified the cocaine sources of supply as Paul AQUIRRE and Carlos ROBLES.

Three separate cooperating defendants identified Dat Viet TIEU, AKA "Andy", as the source of supply for the MDMA seized from Andrew WILLIAMS' residence in Slidell, Louisiana on or about May 17, 2006. In June 2007, Houston DEA Special Agent Daniel Comeaux, acting in an undercover capacity, was introduced to TIEU by one of the cooperating defendants. As a result of this introduction, S/A Comeaux and the cooperating defendant conducted an undercover purchase of MDMA from TIEU on June 27, 2007 in Houston, Texas. This purchase corroborated the information provided by the cooperating defendant regarding TIEU as the source of supply for the MDMA seized in Slidell, Louisiana.

The 4074 tablets of ecstasy seized from the residence in Slidell, Louisiana, has been tested by the DEA South Central Lab and tested positive for the presence of MDMA.



S/A Chad Scott
DEA New Orleans, Louisiana

Subscribed to and sworn before me on December 1, 2008, at New Orleans, Louisiana.



HONORABLE LOUIS MOORE JR.
UNITED STATE MAGISTRATE